

## DETAILED ACTION

1. Claims 1-21 are pending in the instant application.

### *Claim Objections*

2. Claims 4-7, 10, 14-16, and 20 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from another multiple dependent claim. Additionally, while claims 5, 11, and 21 are in proper multiple dependent form, a multiple dependent claim requires additional claim fees for each claim it depends from which do not appear to have been filed. See MPEP § 608.01(n). Accordingly, claims 4-7, 10, 14-16, and 20 have not been further treated on the merits.

3. The following have been objected to for lacking proper antecedent basis:

a. "Apparatus" (claim 2, line 1; Claim 3, line 1; Claim 4, line 1; Claim 5, line 1; Claim 6, line 1; Claim 7, line 1; Claim 8, line 1; Claim 9, line 1; Claim 10, line 1; Claim 11, line 1; Claim 12, line 1; Claim 13, line 1; Claim 14, line 1; Claim 15, line 1; Claim 16, line 1; and Claim 17, line 1) Note that an apparatus is already mentioned in the claims depended from and the term "The apparatus" is required to lend proper antecedent basis.

b. "Method according to claim 18" (Claim 19, line 1) Note that "method" does not properly refer to a previously mentioned method. The examiner suggests "The method according to claim 18."

4. The following are also objected to for minor informalities:
  - c. "Apparatus" (Claim 1, line 1) the term "An apparatus" would lend proper form.
  - d. "Method" (Claim 18, line 1) the term "A method" would lend proper form.
  - e. "Computer program" (Claim 20, line 1) the term "A computer program" would lend proper form.
  - f. The terms "characterised," "personalised," and individualised" (sic) are used throughout the application. The examiner recommends replacement with the terms "characterized," "personalized," and individualized" respectively.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Menard et al. (US 6,563,910) hereafter "Menard."

Regarding claim 1, Menard Discloses an apparatus for storage and distribution of individualised information concerning specific treatments, desires and identification in case of an emergency situation, (abs) comprising a first database (60), preferably a

web-interfaced database, which is accessed by individuals from communication terminals (50), the individuals inputting or updating their own personalised information thereon, the first database including both identities and personalised information, (Col 3, lines 5-39, Col 4, lines 30-61, Col 5, lines 1-11; Col 9, lines 17-29 Note while the disclosure of Menard does not specifically disclose the individuals themselves inputting the data into the web interface of the disclosure, it does disclose authorized people being able to do so and it would have been at least obvious to one of ordinary skill in the art at the time of the invention to allow the person whom is most capable of accurately updating information to access and update it if it is not already inherent in the invention itself)

a second database (70), being adapted to retrieve information from the first database, which second database is in communication with at least one mobile communication terminal (80), the terminal having reading means (not shown) adapted to determine and communicate to the second database the identity of a transponder (90) carried by an individual, (Col 3, lines 5-39; Col 5, lines 12-50; Col 8, lines 21-67; Col 9, lines 30-63 Note that in several implementations a second database, which is an instance of a subset of the first is created)

the second database being adapted to match the identity of the transponder provided by the mobile communication terminal to the personalised information retrieved from the first database,

personalised information and identification is provided to and is displayed on the mobile communication terminal so as to assist personnel during an accident, medical or

emergency situation, (Col 6, line 58 - Col 7, line 43; Col 9, lines 36-63) characterised in that the first database is optimised for provision of user-friendliness, storage of exchangeable personalised information and allowing for simultaneous access by a large number of individuals, whereas the second database is optimised for reliability in operation and quick response. (Col 4, lines 30-61; Col 5, lines 1-11; Col 5, lines 29-50; Col 9, lines 60-63)

Regarding Claim 2, claim 2 is rejected for substantially the same reason as claim 1 above.

Regarding claim 3, claim 3 is rejected for substantially the same reason as claim 1 above. Note that while a third database is not disclosed specifically, Col 6, lines 29-44 shows that separate information is given to separate service providers, which loosely fit the description of “databases.” Additionally, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide this information in the form of another database instance (much like the 2nd database instance already disclosed) in order to further separate and control access to information in the system of Menard.

Regarding claim 4, claim 4 is rejected for substantially the same reason as claim 1 above. Note that the cited portions of claim 1 refer to intermediately storing subscriber information such as name and other similar personal information. Additionally note such information is intermediately stored in the “first database.”

Regarding claim 5, claim 5 is rejected for substantially the same reason as claim 1 above. Note the multicast implementation includes parallel transport of information.

Regarding claim 6, claim 6 is rejected for substantially the same reason as claim 5 above. Note at least one implementation includes a car theft sensor which is integrated into the vehicle itself.

Regarding claim 7, claim 7 is rejected for substantially the same reason as claim 1 above.

Regarding claim 8, Claim 8 is rejected for substantially the same reason as claim 1 above. While the disclosure of Menard does not specifically disclose a sensor for detection of a car accident, such a situation is definitely an “emergency situation” and it would have been obvious to one of ordinary skill in the art at the time of the invention to include detection means for accidents in order to facilitate response to such an event also if it is not already inherent in the invention already. Additionally, Fig 1 provides further evidence of this claim.

Regarding claim 9, claim 9 is rejected for substantially the same reason as claim 1 above.

Regarding claim 10, claim 10 is rejected for substantially the same reason as claim 1 above.

Regarding claim 11, claim 11 is rejected for substantially the same reason as claim 1 above. Note the majority of transponders disclosed in the prior art are well known as requiring a power source.

Regarding claim 12, while Menard does not specifically disclose a passive transponder, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a passive means when available in order to avoid battery and electric requirements as well as to cut down on overall size of the transponder itself.

Regaring claim 13, claim 13 is rejected for substantially the same reason as claim 1 above.

Regarding claim 14, claim 14 is rejected for substantially the same reason as claim 1 above. Note that Col 4, lines 42-54 specifically discuss retrieving information from an existing medical database.

Regarding claim 15, claim 15 is rejected for substantially the same reason as claim 1 above. Note both WiFi and cellular connections use a radio base station.

Regarding claim 16, claim 16 is rejected for substantially the same reason as claim 10 above.

Regarding claim 17, claim 17 is rejected for substantially the same reason as claim 15 above.

Regarding claim 18, claim 18 is rejected for substantially the same reason as claim 1 above.

Regarding claim 19, claim 19 is rejected for substantially the same reason as claim 2 above.

Regarding claim 20, claim 20 is rejected for substantially the same reason as claim 18 above.

### ***Conclusion***

7. The prior art made of reference in this office action is as follows:

g. Menard et al. (US 6,563,910)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRUCE A. WITZENBURG whose telephone number is (571)270-1908. The examiner can normally be reached on M-F 9:00 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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